



Case Study 18

Stakeholders in the Planning and Zoning Process in Georgia

Discussions occurring today at county and city levels in west Georgia are focused on land-use changes, zoning, and urban growth management. This is especially true in rural Harris County, the ‘moving front’ of the wildland-urban interface in Georgia, where residents face rapid population growth rates and rapid development. Interest in zoning and land-use regulation has been at the center of discussions and debates among residents, landowners, developers, planners, and policy makers.

Land-use changes in Muscogee and Harris counties center around conversion of forest, agricultural, and older industrial and urban zones into residential subdivisions and multi-zoned commercial centers. Zoning debates occurring at regular public planning hearings in both counties reveal residents’ concerns, developers’ interests, patterns of land-use change, and political strategies used by all interested groups.

This case study focuses on how the process of citizen-government debate occurs in west Georgia and examines the juncture points around which interested parties come together. Rezoning requests and the debates that they spur represent the primary juncture points, shedding light on how developers, citizens, and policy makers interact to influence land-use policy.

Thus far, Harris County residents have strongly supported minimum lot size policies as a key growth-management strategy. While this has been met with resistance from some developers, other more established developers have used the policies to their advantage, marketing their developments as conservation develop-

ments, maintaining greenspace and the rural character of the area. This case study gives an introduction to how various stakeholders in west Georgia contest, cooperate on, and ultimately decide land-use policy, and in the process guide and shape urbanization and growth.

Study Area

Columbus, Georgia, is the third largest city in the state and the largest urban center in the region of west-central Georgia. During the past decade, its metropolitan area has steadily expanded northward. Columbus is located in Muscogee County, a predominantly urban county in contrast to the more sparsely populated, rural counties of Harris and Meriwether. However, the rural landscapes of Harris County, in particular, are being rapidly transformed by the growth of subdivisions and other residential facilities, driven by a population growth rate of 33 percent between 1990 and 2000. Harris County’s growth is a direct result of its proximity to north Columbus. This rapid growth is not, at the moment, occurring in Meriwether County, but it will likely spread there if current trends continue.

Since 1960, insurance, banking, and digital technology firms have taken the lead role in the local economy. Also located partially in Muscogee County is the Fort Benning Military Reservation, which employs a large civilian workforce. In the surrounding areas, timber production dominates and some areas are becoming retirement centers that boast proximity to the military base and the health and social services of the city. Callaway Gardens,

one of the largest tourist and recreation attractions in the state of Georgia, is located in Harris County, and development is rapidly expanding in its vicinity.

Land-Use Planning and Zoning

Zoning ordinances produce, over time, a series of categories that set out permitted, restricted, and conditional land uses. Zoning determines the types of activities that can occur on the land, regulating, for example, the density of housing or timber harvesting activities. While an area may be zoned for a particular land use, some or all of that area may not be used the same (an example would be an area zoned for residential use that is still partially in agricultural use). As such, zoning designations reflect both current and anticipated conditions.

In looking at zoning regulations for a particular area and their impact on natural resource management, the following relevant questions should be asked: What are the zones used most often in these counties or municipalities today? What are the accompanying restrictions and allowances for each zoning designation? How do residents and developers attempt to work around particular restrictions and allowances while remaining in one zone or attempting to switch to another? Are variances to these restrictions and allowances obtainable and how? How are requests for rezoning debated and decided?

Zoning ordinances are relatively new in the rapidly developing, rural Harris County, while they are older in the more urban Muscogee County, where the first ordinances passed in 1972. Before 1980, there were no regulations on land use and residents had a strong distrust for land-use regulations in Harris County. However in the mid-1980s, as county residents began to encounter interests from residents and non-residents to develop the county landbase, Harris County was mapped and zoned.

In both counties, zoning decisions go through a process involving citizen and city staff review and a final vote by the city council or board of commissioners. At the center of the planning advisory commission hearings in Muscogee County and Harris County is the comprehensive plan, the county-wide planning document on existing and projected future uses for all land in the county. But zoning decisions are not based solely on these plans, nor are these plans binding in any concrete way.

Depending on location, the planning advisory commission hearings and the city council meetings in Muscogee County, and the planning commission and board of commissioners meetings in Harris County represent the platforms in which interests collide and decisions are made regarding land use in the two counties. The decisions occur mainly in piecemeal fashion, based on decisions pertaining to individual properties. However, these small changes accrue over time, and can lead to dramatic shifts in land use over a period of years. In most cases, land-use conflicts are between individuals or concern primarily one neighborhood and a small group of citizens with little community-wide interest. However, there are occasions when larger interests are at stake, and different groups align according to economic and political stakes.

In Harris County, quality of life issues are in the forefront of public debates concerning urbanization and development. Interestingly, the concern for maintenance of “rural character” in the county has resulted in strong efforts to maintain relatively high minimum lot sizes for new developments, and a strong resistance to high density developments.

Stakeholders and Conflicts in Development and Urbanization

In rapidly growing Harris County, there is citizen debate over requests to rezone large tracts

of land for residential subdivision development. By and large, requests to rezone tracts of land under 100 acres are approved while all but two requests for plots over 100 acres, have been declined in the last three years. Many fear the domino effect of rezoning, but precedent plays a large role, and commissioners are reluctant to turn down a request if other similar requests have been approved.

There were a considerable number of approved requests that involved converting timber, pasture, and agricultural land to residential subdivisions. As subdivisions become more concentrated, residents and county commissioners are talking more concertedly about the advantages and disadvantages of this kind of development. Many residents complain that subdivisions do not provide enough revenue in property taxes if plots are too small. They argue that residential growth of this kind creates significant costs for the county for services such as schools, roads, and water. Decision makers and stakeholders are discussing options for controlling growth such as limits on lot size and the number of lots allowed in subdivision plans.

The “Community-Minded” Developer

T. R. Milton, a pseudonym for a Muscogee County based company, owns many businesses in the area, but is primarily known for its real estate development projects. They have a large presence in Muscogee County and in the surrounding counties. A representative characterizes the company as a private “community-minded” organization. The company argues that they are on the forefront of “environmental-friendly” development, going beyond the current requirements to ensure better control of soil erosion and other environmental impacts during construction. They have developed green spaces in their commercial complexes in Columbus, and have several residential subdivisions under construction in Muscogee County that are based on single fami-

ly housing around green and surface water spaces. The plots sell for \$70,000–\$210,000, with lot sizes of 3–8 acres, placing them at the highest end of the residential real estate market in the county.

Representatives of T. R. Milton use a strategy of talking to neighbors, church groups, business leaders, and other stakeholders in the area before attempting to rezone a property that they plan to develop. Company representatives said that they want to go into the zoning hearing knowing the outcome, and according to many involved in the process, they are fairly successful at their preliminary networking with residents and business owners in their target project areas. The company also comments on existing ordinances and plays a role in encouraging and advocating change of existing policies and laws. For instance, they have been instrumental in maintaining minimum lot sizes at one acre and have resisted efforts by other developers to reduce the minimum lot size to half and quarter acre-lots. They want to maintain their hold on the market for large lot size homesites, and they couch this fight in terms of maintaining rural character and preserving the environment. All stakeholders interviewed for the case study expressed admiration for the company’s ability to influence public opinion and policy in specific cases related to their projects.

The Tree Ordinance

In 2000, the city manager’s office in Muscogee County chose representatives from an identified set of stakeholder groups to constitute a 27-member Tree Ordinance Committee. Members represented commercial and residential developers, foresters, landscape architects, engineers, citizens, Georgia Power, the tree service industry, and planners. At the time, political will for a tree ordinance was fairly well developed. The citizen’s movement to save existing trees in urban Columbus began well

before this in Lake Bottom Park. In a well-publicized event, residents tied crime-scene tape around existing trees that were slated for removal in order to build a larger parking lot. The event sparked a city-wide debate, primarily played out in the local newspaper, on the disappearing urban tree cover.

The Tree Ordinance Committee worked with Trees Columbus, a citizens' organization established to address the problem of loss of urban forest and green space, as well as four "green" developers to draw up a draft ordinance, guided by ordinances they had collected from other U.S. cities. In general, participants cited the good working relationship between stakeholders during this process for constructing an ordinance that satisfied all major stakeholders. The committee then put a draft of the ordinance online on the city's website and advertised a public meeting to discuss it.

Suggestions during these meetings were used to modify the draft before a final version was submitted to the city council. The city council then deliberated and held a public hearing. Reporters were very interested in these events and followed the story closely in the local press. A final ordinance was passed and went into effect in October 2002.

The discussions surrounding the tree ordinance provoked the realization that zoning, in many cases, promotes urban sprawl and that planners need to be more specific about zoning categories. At present, however, the tree ordinance stands alone in Muscogee County as one of several policy statements to which a zoning request should comply.

But the tree ordinance resulted in large measure out of the interaction between citizen groups, developers, and county government employees.

Conclusion

Residents' individual land uses and interests in land-use change drive the bulk of the land-use rezoning requests in Muscogee and Harris counties through incremental changes. Though smaller in number, the requests of developers and industries to rezone and redesign larger tracts of land also drive rezoning and sometimes lead to substantial discussion on policy changes. Maintenance of minimum lot sizes is viewed by many residents of Harris County as a key to controlling development and growth. While the county is under tremendous pressure from some developers and business leaders to loosen those restrictions, the residents of the county have demonstrated the political will to keep current restrictions in place. The requests in Muscogee County, in contrast, are concerned with smaller plots and less ambitious landscape change plans, reflecting the fact that there is less of what is called "raw land" in Muscogee County. The case study presents examples of how different developers have confronted this political reality with varying degrees of success. The key lesson from the case study is that land-use policy is determined in the points of interaction among stakeholders, and that each stakeholder group has particular strategies for approaching the policy process. Understanding how key stakeholders engage decision makers and influence their decisions is fundamental to understanding points of entry for influencing policy.

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